



A RESOLUTION

03- 12-1674

BY TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE SUPPLEMENTAL AGREEMENT NUMBER 5 WITH THE FEDERAL AVIATION ADMINISTRATION (THE "FAA") COVERING THE SURRENDER TO THE CITY OF APPROXIMATELY 1.49 ACRES OF LAND LEASED TO THE FAA BY THE CITY UNDER THE LEASE FOR THE AIR TRAFFIC CONTROL TOWER SITE AT THE HARTSFIELD ATLANTA INTERNATIONAL AIRPORT, DESIGNATED AS LEASE NO. DOTFA73SO-7970 DATED DECEMBER 18, 1973, AS PREVIOUSLY SUPPLEMENTED; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the "City") and the Federal Aviation Administration (the "FAA") are parties to the Lease for the Air Traffic Control Tower (the "ATCT") site (the "ATCT Site") at the Hartsfield Atlanta International Airport (the "Airport"), designated as Lease No. DOTFA73SO-7970 dated December 18, 1973 (the "ATCT Lease"), as previously supplemented; and

WHEREAS, the City has undertaken the design and construction of a new East International Terminal (the "EIT") and related aircraft ramp, entrance roadway, and vehicle parking facilities, to improve service to international airlines and their passengers at the Airport; and

WHEREAS, the City ultimately requires the surrender of the entire ATCT Site in connection with the EIT project, and the FAA is ready and willing to surrender the entire ATCT Site upon completion and dedication of a new ATCT, to be sited elsewhere on the Airport, to replace the existing ATCT; and

WHEREAS, the total surrender of the ATCT Site will occur in phases and, at this time, the City and the FAA desire and intend to enter into Supplemental Agreement Number 5 amending the ATCT Lease and memorializing the surrender of a portion of the ATCT Site needed for enabling the EIT project (the "Supplemental Agreement"); and

WHEREAS, the portion of the ATCT Site to be surrendered under the Supplemental Agreement contains an FAA facility known as the "System Maintenance Office" or "SMO" (formerly known as the "FAA Field Sector Office"); and

WHEREAS, in order to mitigate and cure the damages to the FAA caused by the partial taking of the ATCT Site and the SMO facility sited thereon, the City intends to execute a Lease Agreement between the City of Atlanta, as Lessee, and the First American Trust, as Lessor, (the "Tradeport Lease") covering the leasing by the City of approximately 12,390 rentable square feet located in Building 200, at 200 Tradeport Boulevard, Clayton County, Georgia (the "Tradeport Building"), for the relocation of the SMO and occupancy thereof by the FAA; and the execution of such agreement is contingent upon the execution of the Supplemental Agreement contemplated hereunder; and

WHEREAS, the City, as Lessee under the Tradeport Lease, and the FAA, as Sublessee, also desire and intend to simultaneously enter into a Sublease



Agreement, covering the use and occupancy of the Tradeport Building by the FAA as a replacement for the SMO (the "Tradeport Sublease"); and the execution of such agreement is contingent upon the execution of the Supplemental Agreement contemplated hereunder and the Tradeport Lease discussed above; and

WHEREAS, the City and the FAA also desire and intend to simultaneously enter into a Reimbursable Agreement, as a companion to the Tradeport Sublease, covering the acquisition, installation and cost of FAA requirements for use of the Tradeport Building under the Tradeport Sublease as follows:

- Systems Furniture (modular partitions in lieu of building out hard wall offices);
- Telephone System to replace existing communications capabilities;
- Security system per FAA requirements and specifications;
- T-1 line installation and rental to support the above telephone system; and

WHEREAS, all of the foregoing actions and agreements are co-dependant and require the approval of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor or her designee be and hereby is authorized to execute, on behalf of the City of Atlanta, Supplemental Agreement Number 5 with the Federal Aviation Administration, which shall provide for the surrender by the FAA to the City of approximately 1.49 acres of land within its Leased Premises under Lease No. DOTFA73SO-7970 for the Air Traffic Control Tower site at Hartsfield Atlanta International Airport, and for the temporary continued use by the FAA of certain portions of said property for time periods that will not exceed one year thereafter.

BE IT FURTHER RESOLVED, all of the above will be at a cost to the City not to exceed four million, two-hundred forty-three thousand, two-hundred dollars (\$4,243,200.00) in the aggregate over a twenty-year period; and

BE IT FURTHER RESOLVED that the City Attorney be and hereby is directed to prepare said Supplemental Agreement Number 5 for execution by the Mayor.

BE IT FINALLY RESOLVED that said Supplemental Agreement Number 5 shall not become binding upon the City, and the City shall incur no obligation or liability thereunder until the same has been signed by the Mayor and delivered to the FAA.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

OCT 20, 2003
OCT 28, 2003

RCS# 5099
10/20/03
4:32 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I EXCEPT:03-O-1695, 03-O-1444
03-O-1689, 03-O-1493, 03-O-1494

~~RECONSIDER~~

ADOPT

YEAS: 10
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
N Young	Y Shook	Y Maddox	B Willis
NV Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 5098
10/20/03
4:30 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I & II PGS 1-22 EXCEPT:03-O-1695
03-O-1444, 03-O-1689, 03-O-1493
RECONSIDER

YEAS: 10
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

See RCS#
5067

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
N Young	Y Shook	Y Maddox	B Willis
NV Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 5067
10/20/03
2:15 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-17, EXCEPT:03-O-1695,
03-O-1444, 03-O-1689, 03-O-1493
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

Reconsidered 104
See RCS# 17
5098

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	B Willis
Y Winslow	NV Muller	NV Boazman	NV Woolard

CONSENT I

		10-20-03 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1509 2. 03-O-1510 3. 03-O-1706 4. 03-O-1354 5. 03-O-1500 6. 03-O-1501 7. 03-O-1130 8. 03-O-1434 9. 03-O-1512 10. 03-O-1586 11. 03-O-0662 12. 03-R-1669 13. 03-R-1508 14. 03-R-1661 15. 03-R-1662 16. 03-R-1663 17. 03-R-1664 18. 03-R-1691 19. 03-R-1704 20. 03-R-1670 21. 03-R-1671 22. 03-R-1672 23. 03-R-1673 24. 03-R-1674 25. 03-R-1675 26. 03-R-1654 27. 03-R-1655 28. 03-R-1711 29. 03-R-1724 30. 03-R-1725 31. 03-R-1726 32. 03-R-1727 33. 03-R-1656 34. 03-R-1657 35. 03-R-1728 36. 03-R-1594 37. 03-R-1595 38. 03-R-1596 39. 03-R-1597 40. 03-R-1598	41. 03-R-1599 42. 03-R-1600 43. 03-R-1601 44. 03-R-1602----- Items Adversed on Consent 45. 03-R-1603 46. 03-R-1604 47. 03-R-1605 48. 03-R-1606 49. 03-R-1607 50. 03-R-1608 51. 03-R-1609 52. 03-R-1610 53. 03-R-1611 54. 03-R-1612 55. 03-R-1613 56. 03-R-1614 57. 03-R-1615 58. 03-R-1616 59. 03-R-1617 60. 03-R-1618 61. 03-R-1619 62. 03-R-1620 63. 03-R-1621 64. 03-R-1622 65. 03-R-1623 66. 03-R-1624 67. 03-R-1625 68. 03-R-1626 69. 03-R-1627 70. 03-R-1628 71. 03-R-1629 72. 03-R-1630 73. 03-R-1631 74. 03-R-1632 75. 03-R-1633 76. 03-R-1634 77. 03-R-1635 78. 03-R-1636 79. 03-R-1637	80. 03-R-1638 81. 03-R-1639 82. 03-R-1640 83. 03-R-1641 84. 03-R-1642 85. 03-R-1643 86. 03-R-1644 87. 03-R-1645 88. 03-R-1646 89. 03-R-1647 90. 03-R-1648 91. 03-R-1649

03-1674

(Do Not Write Above This Line)

A RESOLUTION BY

TRANSPORTATION COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE SUPPLEMENTAL AGREEMENT NUMBER 5 WITH THE FEDERAL AVIATION ADMINISTRATION (THE "FAA") COVERING THE SURRENDER TO THE CITY OF APPROXIMATELY 1.49 ACRES OF LAND LEASED TO THE FAA BY THE CITY UNDER THE LEASE FOR THE AIR TRAFFIC CONTROL TOWER SITE AT THE HARTSFIELD ATLANTA INTERNATIONAL AIRPORT, DESIGNATED AS LEASE NO. DOTFA7360-7970 DATED DECEMBER 18, 1973, AS PREVIOUSLY SUPPLEMENTED; AND FOR OTHER PURPOSES.

ADOPTED BY

OCT 20 2003

COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

TRANSPORTATION

10/15/03 Date

Chair

Action

Fav Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED

OCT 20 2003

ATLANTA CITY COUNCIL PRESIDENT

Carole W. Woodard

CERTIFIED

OCT 20 2003

Richard D. Johnson
MUNICIPAL CLERK

APPROVED

OCT 28 2003

MAYOR